

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ANGEL DAVID MORALES-VALLELLANES,
Plaintiff,

v.

CIVIL NO. 97-2459(GAG)

UNITED STATES POSTAL SERVICE,
Defendant.

STATUS CONFERENCE REPORT

Present at the conference were counsel Miguel Miranda-Gutiérrez for plaintiff and Assistant U.S. Attorney Fidel Sevillano-Del-Río for defendant.

The parties informed discovery proceedings have concluded. The case is ready to be tried under the directives of the Court of Appeals of the First Circuit limiting the Title VII cause of action "to those discrimination and retaliation allegations in his [plaintiff's] amended complaint that were previously the subject of a formal EEO complaint. As we [Court of Appeals] read the EEO dismissal letters, this universe is limited to the following three allegations:

1. Morales's allegation that Job Bid #2541417 was posted with Thursday/Sunday rest days rather than Saturday/Sunday rest days in retaliation for plaintiff's OSHA complaints;
2. Morales's allegation of sexual discrimination and retaliation arising from an April 9, 1996 incident in which plaintiff's duties and responsibilities were awarded to a female employee and he was given window clerk duties to perform;
3. Morales's allegation that the 'coffee and lunch breaks' policy was not applied in an equal and nondiscriminatory matter."

Morales-Vallellanes v. Potter, 339 F.3d 9, 18 (1st Cir. 2003).

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The parties were granted ten (10) days to file an Amended Pre-Trial Order limiting testimonial and documentary evidence to the three outstanding claims mentioned above.

The deadline to file motions *in limine* is set for August 27, 2007. Jury Trial is set for September 17-21, 2007 at 9:30 AM.

In San Juan, Puerto Rico, this 7th day of February of 2007.

s/**CAMILLE L. VELEZ-RIVE**
CAMILLE L. VELEZ-RIVE
UNITED STATES MAGISTRATE JUDGE